

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PURE POWER BOOT CAMP, INC.,
PURE POWER BOOT CAMP FRANCHISING
CORPORATION, and PURE POWER BOOT
CAMP JERICO INC.,

Plaintiffs

-against-

AFFIDAVIT OF ELIZABETH LORENZI
IN OPPOSITION TO MOTION
TO PRECLUDE EMAILS
Index No.: 08 CV 4810 (JGK)(THK)

WARRIOR FITNESS BOOT CAMP, LLC,
ALEXANDER KENNETH FELL a/k/a ALEX
FELL, Individually; RUBEN DARIO BELLIARD
a/k/a RUBEN BELLIARD, Individually;
JENNIFER J. LEE Individually; and NANCY
BAYNARD, Individually,

Defendants.

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STATE OF NEW YORK :

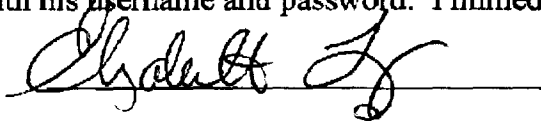
s.s.:

COUNTY OF NEW YORK:

ELIZABETH LORENZI,, being duly sworn, deposes and says:

1. I am the assistant to Lauren Brenner at plaintiffs' New York facility.
2. The employee policy for Pure Power is no use of computers except by those people authorized to do so, and that use must be limited to business purposes. This has been the policy since I began.
3. Around May 2007, however, Alexander Fell wanted to access the computer to check on an Ebay sale. I told him he could not as I was busy with other work. Instead, Fell gave me his email password and user name and had me check for him.
4. I checked for him and exited; I did not store or preserve the information.
5. Fell would use the computer on many occasions when the owner, Lauren Brenner was not there, if I was not busy, although it was against company policy

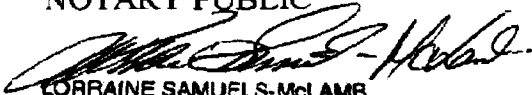
6. At the end of April, our email server was not working; emails were being kicked back and so I went to hotmail to open a new account. As soon as I accessed hotmail, the login for Fell immediately appeared with his username and password. I immediately told Ms. Brenner.



ELIZABETH LORENZI

Sworn to me this ~~10~~th day of July, 2008

NOTARY PUBLIC



CORRAINE SAMUELS-MCLAMB
Notary Public, State of New York
No. 01SA6134180
Qualified in Richmond County
Commission Expires Sept. 26, 2009